

REMARKS

In response to the Notice, sequence identifiers (SEQ ID NO:) have been added to a paragraph and a Table in the Specification, in accordance with the Examiner's request.

Having complied with the Notice, Applicants note their belief that the request set forth in the Notice is incorrect under the Sequence Listing rules and is likely to create confusion on the part of the reader. It is respectfully noted that the portion of the specification specifically named by the Notice is not an amino acid sequence *per se*, but is the name known in the art which serve as an abbreviation for *Pseudomonas* exotoxin A (PE) molecules which have been modified to be of particular molecular weights and to have particular carboxyl termini (e.g., "PE38KDEL" (p. 30, line 15) is a 38 kD form of PE in which the carboxyl terminus is KDEL). Insertion of a sequence identifier alone after the compound name (e.g., --PE38KDEL (SEQ ID NO:4)--) introduces ambiguity to the identity of the sequence specified by the sequence identifier, since SEQ ID NO:4 identifies only the residues that constitute part of the name of the entire molecule. Nor does the addition of the "KDEL" suffix to the name "PE38" suddenly require the listing of the entire PE38 amino acid sequence with a carboxyl terminus addition of KDEL. The numerous patents related to PE by inventor Pastan and his colleagues, examined by a multitude of Examiners, have never had a Sequence Listing requirement imposed on names such as PE38KDEL, PE4E, PE38QQR or other variations (see, e.g., U.S. Patents 6,147,203 (col. 23, lines 30-35), 5,981,726 (at col. 3, lines 31-44), 5,854,044 (at col. 4, line 14), and 5,705,156 (at Fig. 2 and col. 3, lines 24-28)).

Applicants request entry of this amendment in adherence with 37 C.F.R. §§ 1.821 to 1.825. This amendment is accompanied by a floppy disk containing the above named sequences, SEQ ID NOS:1-4, in computer readable form, and a paper copy of the sequence information which has been printed from the floppy disk.

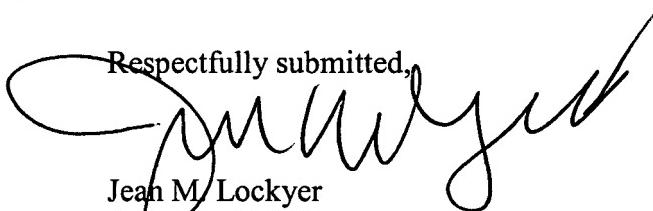
The information contained in the computer readable disk was prepared through the use of the software program "PatentIn" and is identical to that of the paper copy. This amendment contains no new matter.

Appl. No. 09/918,887
Amdt. dated August 14, 2003
Reply to Notice to Comply of July 16, 2003

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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